

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of  
  
George E. Colley  
  
Respondent

Civil Citation No. 70027  
  
8215 Peach Orchard Road

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on December 8, 2009 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 428, failure to cease the storage of all unlicensed and/or inoperable motor vehicles on residential property zoned DR 3.5 known as 8215 Peach Orchard Road, 21222.

On November 18, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Ed Creed issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,500.00 (two thousand five hundred dollars).

The following persons appeared for the Hearing and testified: George Colley and Amy Colley, Respondents and Ed Creed, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on October 21, 2009 following a community sweep, for removal of untagged/inoperative motor vehicles, removal of trash and debris, and proper storage of garbage in cans with lids. This Citation was issued on November 18, 2009.

B. Inspector Ed Creed testified that the property was cleaned up and trash and debris removed, but there is still a truck without tags parked on the property.

C. Photographs in the file show a red and gray pickup truck partly covered by a tarpaulin, parked in Respondent's driveway. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. BCZR Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B). Respondent has exceeded this limitation. Respondent must put valid tags on the vehicle and make it operable, or remove it from the property.

D. Respondent George Colley testified that the truck is operable but he has been unable to drive it while recovering from surgery. He has not been able to sell it. He could store it in his garage if he repairs the garage door.

E. Because compliance is the goal of code enforcement, and because this property does not have a recent history of code violations, the civil penalty will be rescinded if the violation is corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violation is corrected by February 18, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 18<sup>th</sup> day of December 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

**NOTICE TO RESPONDENT:** The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.